

TEMPORARY

NO. 64383-T

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office AUG 11 1998

Returned to applicant for correction _____

Corrected application filed _____

Map filed AUG 11 1998

The applicant **United States of America, Fish and Wildlife Service**, hereby makes application for permission to change the place of use of a portion of water heretofore appropriated under **Truckee Carson Irrigation District Serial Nos. 6-A-1, 6-A-2, 6-A-3, 6-A-4, 13-1, 13-2, 13-3, 20, 161 and 750 - , United States of America v. Orr Ditch Co. in Equity No. A-3, Claim No. 3; United States of America v. Alpine Land and Reservoir Co., No. D-183 BRT; both in the United States District Court of Nevada.**

1. The source of water is **Truckee and Carson Rivers**
2. The amount of water to be changed **1,590.51 acre-feet (454.43 acres @3.50 acre-feet per acre)**
3. The water to be used for **Irrigation**
4. The water heretofore permitted for **As decreed.**
5. The water is to be diverted at the following point **Lahontan Dam, being within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 33, T19N, R26E, M.D.B.&M.**
6. The existing permitted point of diversion is located within **No change.**
7. Proposed place of use **24.82 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ and 35.10 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 14, 37.01 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$. 38.10 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, and 38.60 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 13, 35.10 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, 36.20 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, 36.00 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, 32.20 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, and 37.50 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 23, Township 19 North, Range 30 East, and 10.55 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, 28.86 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, 31.80 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, and 32.59 acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 33, Township 18 North, Range 29 East, M.D.B.&M. 454.43 acres total. See Sheet 3 of the attached map.**
8. Existing place of use **38.56 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, 9.51 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, 20.29 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, 21.91 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, 21.22 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ and 9.58 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 12, and 35.48 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, 16.12 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, 36.74 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, 16.74 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, 29.00 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, 20.00 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, 37.68 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ and 37.34 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 13, and 21.11 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ and 12.00 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 24, Township 17 North, Range 28 East, and 35.90 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ and 32.03 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 2, Township 19 North, Range 30 East, and 3.22 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 24, Township 18 North, Range 28 East, M.D.B. & M. 454.43 acres total. See Sheets 1 and 2 of the attached map.**

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9. Use will be from **As decreed**.
10. Use was permitted from **As decreed**.
11. Description of proposed works **No new diversion or storage works on the Truckee River and the Carson River will be constructed.**
12. Estimated cost of works **N/A**
13. Estimated time required to construct works **N/A**
14. Estimated time required to complete the application of water to beneficial use **N/A**
15. Remarks: **This temporary permit is sought to establish and irrigate agricultural crops on acquired lands outside the boundary of Stillwater National Wildlife Refuge during the remainder of the 1998 irrigation season.**

By **s/Richard P. Grimes**
Richard P. Grimes, Project Leader
Stillwater Realty Field Office
U.S. Fish and Wildlife Service
P.O. Box 1236
Fallon, NV 89407-1236

Compared **dl/cms dl/cms**

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This temporary permit to change the place of use of a portion of the waters of the Truckee and Carson Rivers as set forth under the Newlands Reclamation Project rights in the Truckee and Carson River final decrees is issued subject to the terms and conditions imposed in said decrees and with the understanding that no other rights on the source will be affected by the change proposed herein.

This temporary permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this temporary permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on November 15, 1998 at which time all rights herein granted shall revert to the right being changed by this temporary permit.

(CONTINUED ON PAGE 2)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 1,590.51 acre-feet as decreed.

Work must be prosecuted with reasonable diligence and be completed on or before:

Proof of completion of work shall be filed before:

Application of water to beneficial use shall be filed on or before:

Proof of the application of water to beneficial use shall be filed on or before:

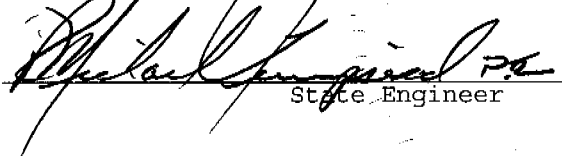
Map in support of proof of beneficial use shall be filed on or before:

TEMPORARY

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.,

State Engineer of Nevada, have hereunto set
my hand and the seal of my office,

this 15th day of September, A.D. 1998


State Engineer

NOV 15 1998